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VIA FACSIMILE - 16 PAGES (Including This Cover)

Commissioner for Patents

MAIL STOP: Amendment

POB 1450, Alexandria, Virginia 22313-1450

TRANSMITTED TO USPTO MAIN FACSIMILE NO. 703-872-9306

RE: Atsushi TAKAI *et al.*, US Appl'n No. 10/623,160  
Att'y Docket No. 500.30802CC4  
Examiner D.E. Singh, AU 2633, USPTO Conf. No. 2704

**SUBMISSION OF AMENDMENT/STATUTORY DISCLAIMER/PTO-2038**

Sir:

Applicant hereby submits the attached AMENDMENT (12 pages),  
STATUTORY DISCLAIMER (2 pages) and PTO-2038 (1 page) for entry in the  
above-noted application.

**CERTIFICATE OF TRANSMISSION:**

I hereby certify that the attached **AMENDMENT (12 pages), STATUTORY  
DISCLAIMER (2 pages) and PTO-2038 (1 page)** are being **FORMALLY  
TRANSMITTED** via the USPTO Main Facsimile No. 703-872-9306 on  
**4 February 2005.**

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Patricia J. Jaquett

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FEB 04 2005

500.30802CC4/B8136-06EX

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Atsushi TAKAI *et al.*  
Serial No. : 10/623,160  
Filed : 21 July 2003  
For : OPTICAL FREQUENCY DIVISION MULTIPLEXING NETWORK  
Art Unit : 2633  
Examiner : D.E. Singh  
Conf. No. : 2704

AMENDMENT**Mail Stop Amendment**

Commissioner for Patents

POB 1450

Alexandria, Virginia 22313-1450

4 February 2005

Sir:

In response to the Office Action mailed 4 November 2004 in connection with the above-identified application, the following amendments and remarks are respectfully submitted.

In accordance with 37 CFR §1.121 in the Final Rule effective 30 July 2003, and as revised in the Final Rule effective 21 October 2004, each section of amendment begins on a new page, and changes are shown by strike-through (or double brackets where appropriate) and underlining to indicate deletions and additions, respectively. A complete listing of all claims ever presented in the application is given with the current status of each claim, and only the text of all pending and withdrawn claims is presented in full, with those pending/withdrawn claims not being amended herein being presented in clean version.